

SENATE BILL 2488

By Finney

AN ACT to amend Tennessee Code Annotated, Title 55;
and Title 40, Chapter 39, Part 2, relative to the
driver license and motor vehicle registration of
sexual and violent sexual offenders.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 39, Part 2, is amended by
adding the following new sections:

§ 40-39-212.

(a)

(1) By January 1, 2007, every sexual offender and violent sexual offender required to register pursuant to this part who is a resident of this state shall obtain, and always have in such offender's possession, either a valid driver license or photo identification card issued by the department of safety pursuant to title 55, chapter 50, part 3. If any offender is ineligible to be issued a driver license or photo identification card, the department shall provide the offender some other form of identification card or documentation that, if it is kept in the offender's possession, will satisfy the requirements of this section. If any sexual offender or violent sexual offender is determined by the department to be indigent, an identification card or other documentation in lieu thereof shall be issued to the offender at no cost.

(2) The background of the driver license or photo identification card issued by the department to offenders pursuant to this section shall

be bright pink in color and shall have imprinted in bold black letters in a location readily visible the words “**CONVICTED SEXUAL OFFENDER**”.

(b)

(1) By January 1, 2007, every sexual offender or violent sexual offender required to register pursuant to this part who operates a motor vehicle in this state shall only operate a motor vehicle that is equipped with a special license plate described in subdivision (2) that is issued by the department of safety pursuant to title 55, chapter 4.

(2) All license plates issued to a sexual offender or violent sexual offender or any person whose motor vehicle will be operated by such an offender shall:

(A) Be on a distinctive, bright pink background;

(B) Contain the six (6) characters of a standard license plate with the first three (3) characters of all such plates being “SO-“ in the same size and color as the first three (3) characters of a standard license plate; and

(C) At the bottom of the plate imprinted in smaller black bold type the words “**CONVICTED SEXUAL OFFENDER**”.

(3) No sexual offender or violent sexual offender shall be permitted to request or purchase a personalized license plate or any license plate other than the one required by this subsection.

(c) Except as provided in subsection (a), the sexual offender or violent sexual offender shall be required to pay any additional costs incurred by the department in preparing and issuing the driver license or photo identification card and special license plate required by this section.

§ 40-39-213.

(a)

(1) It is an offense for a sexual offender or violent sexual offender, during the time such offender is required to register, to knowingly fail to obtain or fail to carry the driver license or photo identification card issued by the department of safety pursuant to § 40-39-212(a).

(2) It is an offense for any such sexual offender or violent sexual offender to knowingly operate a motor vehicle in this state that is not equipped with a special license plate issued in accordance with the provisions of § 40-39-212(b).

(b) A violation of this section is a Class A misdemeanor punishable by a mandatory term of imprisonment of eleven (11) months and twenty-nine (29) days and a mandatory fine of ten thousand dollars (\$10,000).

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 50, Part 3, is amended by adding the following as a new section:

§ 55-50-353.

(a) When any person required to register as a sexual offender or violent sexual offender pursuant to title 40, chapter 39, part 2, makes application for a driver license or photo identification card, or the renewal of such a license or card, and the department determines the offender is eligible for such, it shall only issue such offender a driver license or photo identification card that conforms to the requirements of § 40-39-212(a).

(b) The sexual offender or violent sexual offender shall be required to pay any additional costs incurred by the department in preparing and issuing the driver license or photo identification card required by § 40-39-212(a). However, if a sexual offender or violent sexual offender is determined by the department to be indigent, an identification card or other documentation meeting the requirements of § 40-39-212(a) shall be issued to the offender in lieu thereof at no cost.

SECTION 3. Tennessee Code Annotated, Title 55, Chapter 4, Part 1, is amended by adding the following new section:

§ 55-4-136.

(a) When any person required to register as a sexual offender or violent sexual offender pursuant to title 40, chapter 39, part 2, makes application for a certificate of motor vehicle registration and registration plates or the renewal of such registration and the department determines the offender is eligible for such, the department shall only issue the offender a registration plate that conforms to the requirements of § 40-39-212(b).

(b) The sexual offender or violent sexual offender shall be required to pay any additional costs incurred by the department in preparing and issuing the registration plate required by § 40-39-212(b).

SECTION 4. For purposes of the department implementing the provisions of this act, it shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, it shall take effect January 1, 2007, the public welfare requiring it.